

## **Pakistan: The cost of arbitrary rule**

Monday 26 March 2007, by [REHMAN I. A.](#) (Date first published: 22 March 2007).

THE whole nation has been in the throes of turmoil for many days and the controllers of its affairs are in visible disarray. They are again trying to suppress the symptoms of discontent instead of addressing its causes, although it is now quite clear that all of Pakistan's problems stem from arbitrary and secret governance.

A light-weight outfit has thrown the Pakistan cricket team out of the World Cup competition and a greater part of the population is howling in wild rage. Although the setback is not something unknown to the votaries of the game of glorious uncertainties, the players are being targeted for having failed the people's expectations. Little attention is being paid to the fact that the Pakistan cricket has been in a state of decline for quite some time, and that the responsibility for the rot lies less with the players than with the organisers.

The bitter truth is that the Cricket Board has been afflicted with the same malady - arbitrary and secretive management - that has been eating into the vitals of the Pakistan state.

The process of replacement of professional task-masters with overbearing bureaucrats at sports bodies (the destruction of Pakistan hockey, for instance, is no small cause of public grief) has been going on for quite some time. All sport has also been commercialised. Monetary reward is considered the sole motivation for striving for happy results, though not always for playing the game as it ought to be played. One looks in vain for the pack-leaders of yesteryears who were weak in financial resources and strong in commitment to the spirit of sport. Above all, decisions, even critical ones, are taken secretly and arbitrarily.

The present phase of Pakistan cricket's decline began with the Oval affair when it was found to have fallen into the hands of people whose

knowledge of the game and capacity for crisis management both were suspect. Although many faces in the cast could be recognised only one character was axed in accordance with the arbitrary style lately developed in Pakistan. While both the set-up and the system needed to be shaken up, only a couple of scapegoats were targeted.

The public has little idea how the Cricket Board functions, what criteria is followed for the selection of its all-powerful boss, what the facts of doping and betting scandals are, and what arrangements are in place to ensure financial probity. The public will be satisfied if it is assured of collective and transparent decision-making mechanisms. Institutionalised bungling in sports bodies will cause Pakistan much greater harm than defeat in a game or two.

Around the same time that Pakistan cricketers were paying for their barons' follies, another form of institutionalised encroachment on people's rights was causing grave anxiety to the organisers of a regional conference of South Asians for Human Rights in Lahore because the intelligence agencies were dead-set against allowing Pakistan visa to Indian invitees. The delegates from Afghanistan, Bangladesh, Maldives, Nepal and Sri Lanka had not faced much difficulty in securing visas, but no progress on Indian delegates' applications was possible. Then the authorities relented to the extent that visas were granted to a few Indian delegates, such as former prime minister I.K. Gujral, former MP Kuldeep Nayar and Justice (R) Rajinder Sachar.

An overall toughening of attitude towards the Indian visa-seekers was visible. The South Asia Free Media Association, an NGO that had almost always managed to get Indian visitors over to Pakistan, was forced to cancel its Punjab - Punjab gathering because visas to its guests from India had been refused. This was happening while the foreign secretaries of Pakistan and India were smiling broadly into TV cameras in Islamabad and relaxation of the visa regime between the two countries was being announced.

This silly business of visa restrictions has been going on for so long and has caused such great hardship to countless citizens that one may be

allowed some public time (and space in these columns) to discuss it.

There is no denying the principle that a visa cannot be claimed as of right, and that states are entitled to restrict the grant of visas for a variety of reasons. Some of the South Asian states, unfortunately, impose greater restrictions in this regard on people from within the region than on others. India and Pakistan in particular have raised visa-barriers to each other's nationals to absurd limits.

The most undesirable people in their eyes are neither warmongers nor communalist nor sectarian hate-preachers but journalists and human rights activists especially if they dare to hold joint meetings for promoting ideas of regional cooperation, peace and collaboration against neo-imperialists. The grant of visas to people in these categories is usually subject to clearance by the intelligence agencies.

Yet, hitherto it was possible for organisations and individuals against whom nothing was on record to get clearance from the government; that is, from a prime minister, minister or even from secretary in a ministry, over the head of the security apparatus. Now this window on reason is said to have been closed. The federal ministers in Pakistan protested in the instant case that they were under orders to respect the intelligence agencies' veto power in matters relating to visas.

Finally, one-third of the invitees were sanctioned visas, though many could not avail themselves of these because of the long delay. There were then reports of intelligence personnel making indiscreet inquiries from foreign guests and warning some of them against opening their mouths.

Now, the government of Pakistan will not be blamed for consulting its intelligence outfit, but it is necessary to lay down a decent, rational policy. The task of intelligence agencies is, or should be, to make report to the government. They are not supposed to take final decisions on grant of visas, or in any other area for that matter, because that will mean making the country into a police state to a greater

extent than is commonly believed. Secondly, no criterion for selecting 30 or so visa applicants out of 110 is visible. The exercise appears to be totally arbitrary, and hence unacceptable.

It is time the dangers of allowing the intelligence agencies unbridled powers were realised. A single intelligence department should have the authority to report on citizens, the rules of the game should be made public and the people should be informed of their 'record' so that actions against them could be challenged.

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The cricket debate will be forgotten after some time. The disgruntled civil society organisations cannot offer any immediate threat to an establishment that has learnt to destroy political parties and frighten the media into acquiescence. But the state is unlikely to emerge unscathed from the crisis a reckless assault on the judiciary has created. In this case too the establishment is ignoring the cause of protest and is using brute force to crush public reaction to its actions taken arbitrarily and in secrecy.

At this moment it is neither necessary nor desirable to go into the chargesheet against the Chief Justice, who was first made 'non-functional' and is now said to be on 'forced leave', as the Supreme Judicial Council has prohibited such discussion. But the change in Justice Chaudhry's status is not sub-judice. What the law ministry's crude manipulation means is that an openly unconstitutional act is sought to be justified as a step allowed by a law that empowers the government to send judges on forced leave. It has been argued that the relevant measure is not in force, but even if it is enforceable, its invocation can be struck down on the ground of arbitrariness.

The administration is obviously following the stock formula to quell public unrest. It pretends that a junior functionary could have sent policemen in uniform to destroy a media centre or ordered the raining of teargas shells into the Lahore High Court compound or the beating up of lawyers and journalists. Regrets are expressed, compensation is promised and subordinate-level inquires are ordered. All this is for effect. The

purpose of resort to wanton violence has been met - the critics and protesters both have been terrified into submission, at least they have recognised the virtue of moderation.

Even otherwise all conscious sections of society have become apprehensive of developments over the next few weeks. Whatever the decision on the reference, one organ of the state or another will have been mortally wounded. The consequences are bound to be grave.

It requires no great foresight to realise that the present crisis is the product of arbitrary and secret governance and if the jolt now received by the state can pave the way for return to transparent governance and rule by consensus, there may be reason to sustain hope.

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**P.S.**

\* From Dawn, March 22, 2007. Circulated by South Asia Citizens Wire | March 23, 2007 | Dispatch No. 2381 - Year 9.